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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/870,614	05/31/2001	Scott J. Broussard	AUS920010265US1	1779

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EXAMINER

BONSHOCK, DENNIS G

ART UNIT	PAPER NUMBER
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2173

DATE MAILED: 01/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/870,614

Applicant(s)

BROUSSARD, SCOTT J.

Examiner

Dennis G Bonshock

Art Unit

2173

-- Th MAILING DATE f this communication appears on th cover sh t with th correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 May 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 2, 5, and 6 are rejected under 35 U.S.C. 102(b) as being anticipated by DiNicola et al., Patent #4,951,229, hereinafter DiNicola.

3. With regard to claim 1, which teaches a display system, comprising: a display, DiNicola teaches in column 2, line 68, the use of a display. With regard to claim 1 further teaching a display buffer coupled to the display, DiNicola teaches, in column 2, line 59 through column 3, line 16, the use of several different buffers used in the display of an image. With regard to claim 1, further teaching a processor adapted to execute an application program; DiNicola teaches, in column 3, lines 7-10, the use of a processor in the application program. With regard to claim 1, further teaching producing images on the display where the images are either forwarded in sequence to the display or are compiled as a combination image of at least one image drawn over another image, DiNicola teaches, in column 2, line 59 through column 3, line 16, specifically column 3, lines 10-13, a system that can be configured to either send images to the display separately or to combine two or more of the images and send them as a composite display image. With regard to claim 1, further teaching presenting the image to the

buffer before forwarding, DiNicola teaches, in column 3, lines 62-68, buffering the images before sending to the display.

4. With regard to claim 2, which teaches executing in one of two modes to produce images on the display where the images are either forwarded in sequence to the display or are compiled as a combination image of at least one image drawn over another image, DiNicola teaches, in column 2, line 59 through column 3, line 16, specifically column 3, lines 10-13, a system that can be configured to either send images to the display separately or to combine two or more of the images and send them as a composite display image.

5. With regard to claim 5, which teaches a computer-readable memory, comprising: an operating system, DiNicola teaches, in column 3, line 50 an operating system. With regard to claim 5, further teaching an application program running on code compatible with the operating system, DiNicola teaches, in column 1, lines 6-15, an application program running on code compatible with the operating system. With regard to claim 5, further teaching a software component invoked by an application program that produces images on the display where the images are either forwarded in sequence to the display or are compiled as a combination image of at least on image drawn over another image, DiNicola teaches, in column 2, line 59 through column 3, line 16, specifically column 3, lines 10-13, a system that can be configured to either send images to the display separately or to combine two or more of the images and send them as a composite display image.

6. With regard to claim 6, which teaches object code being part of a graphical user interface associated with the application program, DiNicola teaches, in column 3, lines 10-13, a graphical user interface associated with the application program.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 3, 4, and 7-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over DiNicola and Fowler, *Mixing Heavy and Light Components*.

9. With regard to claim 3, DiNicola teaches the system that either transmits images to the display sequentially or as a combination image (see column 3, lines 10-13) and the use of 3 images layered on top of one another in a combination image (see column 5, lines 32-46), but does not teach images comprising frame, panel, and button images. Fowler teaches Mixing Swing an AWT in the same application program (see page 1, paragraph 2) as is taught in the specification of the case, but further teaches the use of Frame, Panel, and Button images (see Z-order limitations (page 5), and Swing scroll pane (page 6)). It would have been obvious to one of ordinary skill in the art, having the teachings of DiNicola and Fowler before him at the time the invention was made to modify the system of transmitting images either in sequence or as a combined image of DiNicola with the Frame, Panel, and Button images of Fowler. One would have been motivated to make such a combination because these are elements implemented in

Swing which is referred to in the specification on page 34, the use of Java would allow for portability of the image display system, this would prove useful if the remote system was run on a different operating system, and because Frame, Panel, and Button images are images that are frequently transferred to displays.

10. With regard to claim 4, DiNicola teaches the system that either transmits images to the display sequentially or as a combination image (see column 3, lines 10-13), but does not teach the use of Java. Fowler teaches Mixing Swing an AWT in the same application program (see page 1, paragraph 2) as is taught in the specification of the case, but further teaches the use Java see page 2, paragraph 4. It would have been obvious to one of ordinary skill in the art, having the teachings of DiNicola and Fowler before him at the time the invention was made to modify the system of transmitting images either in sequence or as a combined image of DiNicola to include the API system using Java of Fowler. One would have been motivated to make such a combination because Swing is referred to in the specification on page 34, and because the use of Java would allow for portability of the image display system, this would prove useful if the remote system was run on a different operating system.

11. With regard to claim 7, DiNicola teaches the system that either transmits images to the display sequentially or as a combination image (see column 3, lines 10-13), but does not teach a software component comprising an API of code, which translates between code within the application program and the operating system. Fowler teaches Mixing Swing an AWT in the same application program (see page 1, paragraph 2) as is taught in the specification of the case, and further teaches the use Java see page 2,

paragraph 4. It is inherently known in the art that Swing and AWT are application program interfaces, which are defined as a set of routines that translate between an application program and a computer's operating system (see Microsoft Computer Dictionary Fifth Edition, page 33). It would have been obvious to one of ordinary skill in the art, having the teachings of DiNicola and Fowler before him at the time the invention was made to modify the system of transmitting images either in sequence or as a combined image of DiNicola to include use of an API as did Fowler. One would have been motivated to make such a combination because Swing is referred to in the specification on page 34, and because the use of Java would allow for portability of the image display system, this would prove useful if the remote system was run on a different operating system.

12. With regard to claim 8, DiNicola teaches the system that either transmits images to the display sequentially or as a combination image (see column 3, lines 10-13), but does not teach an API that emulates that of a second API based on a windows-based operating system. Fowler teaches Mixing Swing and AWT in the same application program (see page 1, paragraph 2), as is taught in the specification of the case, and further teaches this being a windows based operating system (see the figure on page 7.). It would have been obvious to one of ordinary skill in the art, having the teachings of DiNicola and Fowler before him at the time the invention was made to modify the system of transmitting images either in sequence or as a combined image of DiNicola to include use of two different APIs as did Fowler. One would have been motivated to make such a combination because Swing is referred to in the specification on page 34,

and because the use of Java would allow for portability of the image display system, this would prove useful if the remote system was run on a different operating system.

13. With regard to claim 9, DiNicola teaches the system that either transmits images to the display sequentially or as a combination image (see column 3, lines 10-13), but does not teach the use of a second API, that of AWT. Fowler teaches Mixing Swing and AWT in the same application program (see page 1, paragraph 2) as is taught in the specification of the case. It would have been obvious to one of ordinary skill in the art, having the teachings of DiNicola and Fowler before him at the time the invention was made to modify the system of transmitting images either in sequence or as a combined image of DiNicola to include use of two different APIs, including AWT as did Fowler. One would have been motivated to make such a combination because Swing is referred to in the specification on page 34, and because the use of Java would allow for portability of the image display system, this would prove useful if the remote system was run on a different operating system.

14. With regard to claim 10, DiNicola teaches the system that either transmits images to the display sequentially or as a combination image (see column 3, lines 10-13), but does not teach the application program being written in Java. Fowler teaches Mixing Swing and AWT in the same application program (see page 1, paragraph 2) as is taught in the specification of the case, and further teaches the use of Java see page 2, paragraph 4. It would have been obvious to one of ordinary skill in the art, having the teachings of DiNicola and Fowler before him at the time the invention was made to modify the system of transmitting images either in sequence or as a combined image of

DiNicola to include use of Java as did Fowler. One would have been motivated to make such a combination because Swing is referred to in the specification on page 34, where Swing is said to default to generating a combined image, and because the use of Java would allow for portability of the image display system, this would prove useful if the remote system was run on a different operating system.

15. Claims 11-13, 18, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over DiNicola and Sun Microsystems, *Introducing Swing*, hereinafter Sun.

16. With regard to claims 11 and 18, DiNicola teaches the system that either transmits images to the display sequentially or as a combination image (see column 3, lines 10-13), but does not teach the operating system comprising a Windows, Unix, or OS/2 computer operating system. Sun teaches Swing which is stated in the specification of the application to default to buffering it's output, similar to that of the DiNicola, but further teaches on page 1, paragraph 4, running under operating systems such as Windows, Unix, and so on. It would have been obvious to one of ordinary skill in the art, having the teachings of DiNicola and Sun before him at the time the invention was made to modify the system of transmitting images either in sequence or as a combined image of DiNicola to include use of Java as did Sun. One would have been motivated to make such a combination because Swing is referred to in the specification on page 34, where Swing is said to default to generating a combined image, and because the use of Java would allow for portability of the image display system, this would prove useful if the remote system was run on a different operating system.

17. With regard to claim 12, DiNicola teaches, in column 1, lines 6-15, an application program running on code compatible with the operating system, and a system that either transmits images to the display sequentially or as a combination image (see column 3, lines 10-13), but doesn't teach creating a graphical representation of the object using an interface independent of the operating system. Sun teaches Swing which is stated in the specification of the application to default to buffering it's output, similar to that of the DiNicola, but further teaches on page 1, paragraphs 4 and 5, swing being an API that can be independent of the operating system. It would have been obvious to one of ordinary skill in the art, having the teachings of DiNicola and Sun before him at the time the invention was made to modify the system of transmitting images either in sequence or as a combined image of DiNicola to include use of Java and it's cross platform component for Swing, as did Sun. One would have been motivated to make such a combination because Swing is referred to in the specification on page 34, where Swing is said to default to generating a combined image, and because the use of Java would allow for portability of the image display system, this would prove useful if the remote system was run on a different operating system.

18. With regard to claim 13, which teaches object code being part of a graphical user interface associated with the application program, DiNicola further teaches, in column 3, lines 10-13, a graphical user interface associated with the application program.

19. With regard to claim 19, DiNicola teaches a computer-readable storage device, comprising: an application program running under an operating system (see column 1, lines 6-15), an object created at runtime by the application program (see column 2, line

59 through column 3, lines 16; specifically column 3, lines 10-13), and creating a graphical representation of the object; enabling or disable buffering of the graphical representation of the object to a memory storage area prior to displaying the graphical representation, as directed by the application program (see column 2, line 59 through column 3, lines 16; specifically column 3, lines 10-13). DiNicola, however, doesn't teach a windows-based operating system or an interface independent of the operating system. Sun teaches Swing that is stated in the specification, as defaulting to buffering it's output, similar to that of DiNicola, but further teaches a windows-based operating system (see page 1, paragraph 4), and an interface that is independent of the operating system (see page 1, paragraphs 4 and 5). It would have been obvious to one of ordinary skill in the art, having the teachings of DiNicola and Sun before him at the time the invention was made to modify the system of transmitting images either in sequence or as a combined image of DiNicola to include use of Java and it's cross platform component for Swing, as did Sun. One would have been motivated to make such a combination because Swing is referred to in the specification on page 34, where Swing is said to default to generating a combined image, and because the use of Java would allow for portability of the image display system, this would prove useful if the remote system was run on a different operating system.

20. Claims 14-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over DiNicola, Fowler, and Sun.

21. With regard to claim 14, DiNicola and Sun teach the system that either transmits images to the display sequentially or as a combination image (see column 3, lines 10-

13) and the use of 3 images layer on top of one another in a combination image (see column 5, lines 32-46), but does not teach a software component comprising an API of code which translates between code within the application program and the operating system. Fowler teaches Mixing Swing an AWT in the same application program (see page 1, paragraph 2) as is taught in the specification of the case, and further teaches the use Java see page 2, paragraph 4. It is inherently know in the art that Swing a AWT are application program interfaces, which are defined as a set of routines that translate between an application program and a computer's operating system (see Microsoft Computer Dictionary Fifth Edition, page 33). It would have been obvious to one of ordinary skill in the art, having the teachings of DiNicola, Sun, and Fowler before him at the time the invention was made to modify the system of transmitting images either in sequence or as a combined image of DiNicola to include use of an API as did Fowler. One would have been motivated to make such a combination because Swing is referred to in the specification on page 34, and because the use of Java would allow for portability of the image display system, this would prove useful if the remote system was run on a different operating system.

22. With regard to claim 15, DiNicola and Sun teach the system that either transmits images to the display sequentially or as a combination image (see column 3, lines 10-13) and the use of 3 images layer on top of one another in a combination image (see column 5, lines 32-46), but does not teach an API that emulates that of a second API based on a windows based operating system. Fowler teaches Mixing Swing and AWT in the same application program (see page 1, paragraph 2), as is taught in the

specification of the case, and further teaches this being a windows based operating system (see the figure on page 7). It would have been obvious to one of ordinary skill in the art, having the teachings of DiNicola, Sun, and Fowler before him at the time the invention was made to modify the system of transmitting images either in sequence or as a combined image of DiNicola to include use of two different APIs as did Fowler. One would have been motivated to make such a combination because Swing is referred to in the specification on page 34, and because the use of Java would allow for portability of the image display system, this would prove useful if the remote system was run on a different operating system.

23. With regard to claim 16, DiNicola and Sun teach the system that either transmits images to the display sequentially or as a combination image (see column 3, lines 10-13) and the use of 3 images layer on top of one another in a combination image (see column 5, lines 32-46), but does not teach the use of a second API, that of AWT.

Fowler teaches Mixing Swing an AWT in the same application program (see page 1, paragraph 2) as is taught in the specification of the case. It would have been obvious to one of ordinary skill in the art, having the teachings of DiNicola, Sun, and Fowler before him at the time the invention was made to modify the system of transmitting images either in sequence or as a combined image of DiNicola to include use of two different APIs, including AWT as did Fowler. One would have been motivated to make such a combination because Swing is referred to in the specification on page 34, and because the use of Java would allow for portability of the image display system, this would prove useful if the remote system was run on a different operating system.

24. With regard to claim 17, DiNicola and Sun teach the system that either transmits images to the display sequentially or as a combination image (see column 3, lines 10-13) and the use of 3 images layer on top of one another in a combination image (see column 5, lines 32-46), but does not teach the application program being written in Java. Fowler teaches Mixing Swing and AWT in the same application program (see page 1, paragraph 2) as is taught in the specification of the case, and further teaches the use Java see page 2, paragraph 4. It would have been obvious to one of ordinary skill in the art, having the teachings of DiNicola, Sun, and Fowler before him at the time the invention was made to modify the system of transmitting images either in sequence or as a combined image of DiNicola to include use of Java as did Fowler. One would have been motivated to make such a combination because Swing is referred to in the specification on page 34, where Swing is said to default to generating a combined image, and because the use of Java would allow for portability of the image display system, this would prove useful if the remote system was run on a different operating system.

Conclusion

25. The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. § 1.111(c) to consider these references fully when responding to this action. The documents cited therein teach systems which provide means of forwarding images to a display either sequentially or by a combined image.


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26. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dennis G Bonshock whose telephone number is (703) 305-4668. The examiner can normally be reached on Monday - Friday, 8:30 a.m. - 5:00 p.m.

27. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (703) 308-3116. The fax phone number for the organization where this application or proceeding is assigned is (703) 746-7239.

28. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

dgb


RAYMOND J. BAYERL
PRIMARY EXAMINER
ART UNIT 2173